

Prior law provided that a defendant shall receive credit toward service of his sentence for time spent in custody prior to the imposition of sentence. Provided for a maximum of 30 days of credit for any calendar month while serving consecutive sentences.

New law changes prior law as follows:

- (1) A defendant shall receive credit only for time in actual custody and only once during any calendar month when consecutive sentences are imposed.
- (2) No defendant shall receive credit for any time served prior to the commission of the crime.
- (3) A defendant shall not receive credit for time served under home incarceration.
- (4) A defendant shall not receive overlapping jail credit, except in the instance of concurrent sentences and then only for time spent in jail on the instant felony.

New law provides that when a sheriff's post-sentence statement is required, the clerk of court shall include in the accompanying documents a copy of the Uniform Sentencing Commitment Order in the format authorized by the La. Supreme Court which shall include the name and address of the judge, the district attorney, and the defense attorney who participated in the sentencing trial.

Existing law provides for inmates to earn diminution of sentence (good time) to reduce the amount of time they are incarcerated at a rate of 35 days for every 30 days in actual custody.

New law retains existing law.

Existing law provides for a rate of diminution of sentence for a first time offender convicted of a crime of violence of three days for every 17 days in actual custody.

New law retains existing law.

New law provides that the awarding of credit for time served will be governed by the provisions of C.Cr.P. Art. 880.

New law reorganizes existing law.

Effective August 15, 2011.

(Amends C.Cr.P. Arts. 880 and 892(B)(1)(intro. para.) and (c) and R.S. 15:571.3(A)(1), (B)(1)(a), (2), and (3), and (C), 571.4, 571.5(A), 574.9(E), 828(B), and 833.1(E); Adds R.S. 15:571.3(B)(4); Repeals C.Cr.P. Art. 890.1 and R.S. 15:571.6 and 571.8)